

Representative Kennedy (Brent Kelsey)

a. (1/29/2018) Requests that the Oversight Committee to report back on the impact of Medicaid Expansion on the treatment gap for offenders and the overlap or continuing need for DORA.

The Drug-related Offenses Reform Act (DORA) provides treatment opportunities for 837 (total served in FY 2017) probationers and parolees annually. DORA participants are individuals who are mandated to participate in substance use disorder treatment while they are under the supervision of the Utah Department of Corrections (UDC). The goal of DORA is to reduce the incidence of substance use disorders, drug-related crime, and the associated consequences for individuals, families and communities throughout Utah. Specific objectives are to:

- Determine an individual's specific risk and substance use disorder treatment needs to ensure smarter sentencing;
- Expand substance use disorder treatment resources for individuals under UDC supervision in the community;
- Provide more intensive supervision by the Department of Corrections;
- Integrate substance use disorder treatment and correctional supervision in a collaborative approach to managing individuals on probation and parole.

In FY17, according to DSAMH Treatment Episode Data Set (TEDS) data 837 total clients were served, of those;

- 751 were at 100% of the Federal Poverty limit
- 137 had Medicaid
- 87 were homeless

Total ongoing state general DORA funds is \$3,635,200 for treatment and supervision services. The portion allocated for treatment services is \$2,747,100. DORA funding is allocated to eight Local Authorities.

Targeted Adult Medicaid (TAM): House Bill 437 (2016 General Session) established a plan for a Utah-specific approach to reduce the number of uninsured adults in the state. The bill directed the Utah Department of Health (UDOH) to expand Medicaid coverage and create three new eligibility groups of adults without dependent children. The targeted adult Medicaid became effective November 1, 2017.

Group 1 (chronically homeless): State TEDS data indicated that at intake an estimated 137 DORA clients self-reported being homeless. TEDS data is based on client self-report of current living arrangement at admission that includes homeless. For the purpose of this request, chronically homeless is based on federal definition: when an individual has a disability and has been continuously homeless for one year or more or has experienced at least four episodes of homelessness in the last three years where the combined length of time homeless in those occasions is at least 12 months. Based on the federal definition only a small percent of the 137 self-reported homeless DORA clients would be eligible for this TAM group.

Group 2 (Involved in the Justice System and Needing Substance Use or Mental Health Treatment): SUD Program- Completed treatment program while incarcerated. Total of five

Group 3 (Needing Substance Use or Mental Health Treatment) not open for enrollment
It is estimated that 1 to 10 DORA participants would meet the eligibility for this group.

In the 2018 General Session, HB 472 Medicaid expansion revision, required the Utah Department of health(UDOH) to submit a waiver request to The Center for Medicaid and Medicare Services (CMS) by January 1, 2019 to provide Medicaid benefits to eligible individuals who are below 95% of federal poverty with a targeted date for open enrollment starting July 1, 2019.

UDOH is projecting to submit the waiver by June 30, 2018. If CMS is able to move quickly through its public comment, review, and approval processes, January 1, 2019 would be the earliest estimate of when open enrollment would begin.

In FY19, the total DORA State General funding for treatment services is \$2,747,100. It is estimated that 751 clients (98% of DORA participants) would be eligible for Medicaid a total of \$2,701,150 of State General funds.

The \$2,701,150 savings to the State General funds through the new Medicaid waiver could provide additional funding to the Behavioral Health system in which an additional 740 DORA clients could receive supervision and treatment services not covered by Medicaid. This is an estimated total of 1577 clients (837 DORA participants + 740 additional funded = 1577 total DORA clients) that could receive behavioral health services through the DORA program. DORA funding totals \$2,701,150 estimated medicaid + State general funds of \$2,701,150 (-10% medicaid match totaling \$2,431,035) = \$5,132,185

Medicaid expansion waiver could be used in place of DORA State General funds (total funding: \$2,701,150 estimated medicaid - 10% medicaid match in state general funds of \$270,115 a total of \$2,431,035 savings to State General fund. Estimate clients served with Medicaid funds is 823. State General funds to fund those that are un-funded or Non-Medicaid eligible. State General funds are also used to cover cost for Medicaid match and to cover services that Medicaid does not reimburse for such as urinalysis testing and Recovery Support Services. Recovery Support Services include services such as transportation assistance, sober living, work and educational assistance.